

U.S. PATENT & TRADEMARK OFFICE  
APR 18 2002

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

Attorney Docket No. 43314/236951

COPY OF PAPER  
ORIGINALLY FILED  
3/12/02

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### SYSTEMS AND METHODS FOR PACKAGING, DISTRIBUTING AND MANAGING ASSETS IN DIGITAL CABLE SYSTEMS,

the specification of which

is attached hereto

OR

was filed on as United States Application No. or PCT International Application Number and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International application having a filing date before that of the application on which priority is claimed.

Number	Country	MM/DD/YYYY Filed	<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	<input type="checkbox"/> Yes <input type="checkbox"/> No
Number	Country	MM/DD/YYYY Filed	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below.

60/263,274	01/23/2001
Application Number	Filing Date (MM/DD/YYYY)
Application Number	Filing Date (MM/DD/YYYY)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application (37 C.F.R. § 1.63(d)).

Application No.	Filing Date	Status Patented/Pending/Abandoned
Application. No.	Filing Date	Status Patented/Pending/Abandoned
Application No.	Filing Date	Status Patented/Pending/Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

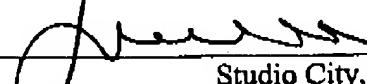
**Customer Number 00826**

Direct telephone calls to:

William R. Silverio  
Registration No. 45,383  
Tel Atlanta Office (404) 881-7000  
Fax Atlanta Office (404) 881-7777

Full name of (first/sole) inventor: Joseph G. Buehl

Inventor's

Signature: 

Date: 1-23-2002

Residence:

Studio City, California

Citizenship:

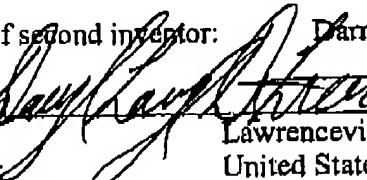
United States of America

Mailing Address:

4319 Shadyglade Ave.  
Studio City, California 91604

Full name of second inventor: Darryl Lanay DeFreese

Inventor's

Signature: 

Date: 1-23-2002

Residence:

Lawrenceville, Georgia

Citizenship:

United States of America

Mailing Address:

517 Coopers Pond Drive  
Lawrenceville, Georgia 30044

ASSIGNMENT RECORDATION FORM COVER SHEET *Patents Only*

To the Honorable Commissioner of Patents and Trademarks:  
Please record the attached original documents or copy thereof.

Attorney Dkt. No.: 43314/236951

1. Name of conveying party(ies):

Joseph G. Buehl  
Darryl Lanay DeFreese

Additional name(s) of conveying party(ies) attached? Yes  No 

3. Nature of conveyance:

- Assignment
- Merger
- Security Agreement
- Change of Name
- Other \_\_\_\_\_

Execution Date: January 23, 2002

2. Name and address of receiving party(ies):

N2 Broadband, Inc.  
4500 River Green Parkway  
Suite 110  
Duluth, GA 30096

Time Warner Cable  
Division of Time Warner Entertainment Company, L.P.  
290 Harbor Drive  
Stamford, CT 06902

4. Application No. 10/053,867

Patent No. \_\_\_\_\_

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

Additional numbers attached? Yes  No 

5. Name and address of party to whom correspondence concerning document should be mailed:

ALSTON & BIRD LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41) \$40.00

- Enclosed
- Authorized to be charged to deposit account

8. Deposit account number: 16-0605

DO NOT USE THIS SPACE

9. Statement and signature: *In the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Name of Person Signing: William R. Silverio  
Reg. No. 45,383

2-28-02

Date

Total number of pages including cover sheet, attachments, and document: 5

**ASSIGNMENT**

THIS ASSIGNMENT, made by us, Joseph G. Buehl, citizen of the United States of America, residing at Studio City, California; and Darryl Lanay DeFrees, citizen of the United States of America, residing at 517 Coopers Pond Drive, Lawrenceville, Georgia 30044, respectively;

WITNESSETH: That,

WHEREAS, we are the joint inventors of certain new and useful improvements in **SYSTEMS AND METHODS FOR PACKAGING, DISTRIBUTING AND MANAGING ASSETS IN DIGITAL CABLE SYSTEMS** for which an application for United States Letters Patent has been executed by us concurrently herewith, and which application claims priority from Application No. 60/263,274, filed January 23, 2001, all applications listed above being hereinafter referred to as the "application"; and

WHEREAS, N2 Broadband Inc., a Georgia corporation having a principal place of business at 4500 River Green Parkway, Suite 110, Duluth, Georgia 30096, County of Gwinnett, State of Georgia, and Time Warner Cable, a division of Time Warner Entertainment Company, L.P., having a principal place of business at 290 Harbor Drive, Stamford, Connecticut 06902, County of Fairfield, hereinafter referred to collectively as assignees, are desirous of jointly acquiring the entire right, title, and interest in and to said invention as described in said application, and in and to any and all Letters Patent which shall be granted therefor in the United States of America and all foreign countries;

NOW, THEREFORE, To Whom It May Concern, be it known that for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we have sold and by these presents do hereby sell, assign, transfer, and convey unto the said assignees, its successors and assigns, the entire right, title, and interest in and to the said invention and application, and in and to any and all continuations, continuations-in-part, or divisions thereof, and in and to any and all Letters Patent of the United States of America and all foreign countries or reissues, reexaminations, or extensions thereof which may be granted therefor or thereon, for the full end of the term for which said Letters Patent may be granted, together with the right to claim the priority of said application in all foreign countries in accordance with the International Convention, the same to be held and enjoyed by said assignees, its successors and assigns, as

43314/236951

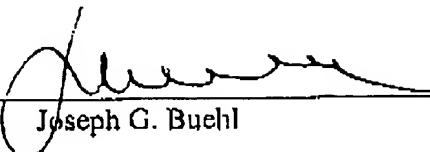
fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

We hereby request that said Letters Patent be issued in accordance with this assignment.

We further covenant and agree that, at the time of the execution and delivery of these presents, we possess full title to the invention and application above-mentioned, and that we have the unencumbered right and authority to make this assignment.

We further covenant and agree to bind our heirs, legal representatives, and assigns promptly to communicate to said assignees or its representatives any facts known to us relating to said invention, to testify in any interference or legal proceedings involving said invention, to execute any additional papers which may be requested to confirm the right of the assignees, its representatives, successors, or assigns to secure patent or similar protection for the said invention in all countries and to vest in the assignees complete title to the said invention and Letters Patent, without further compensation, but at the expense of said assignees, its successors, assigns, and other legal representatives.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 23rd  
day of January, 2002.



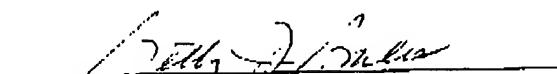
(SEAL)  
Joseph G. Buehl

STATE OF Georgia  
COUNTY OF Gwinnett

I, Betty J. Bales, a Notary Public for said County and State, do hereby  
certify that Joseph G. Buehl personally appeared before me this day and acknowledged the due  
execution of the foregoing instrument.

Witness my hand and official seal, this the 23 day of January, 2002.

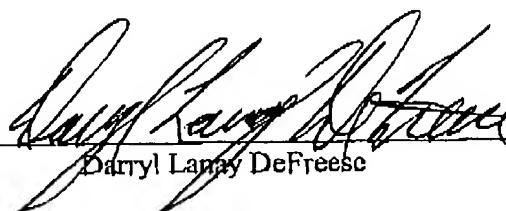
(Official Seal)



Notary Public

Notary Public, Gwinnett County, Georgia  
My commission expires: My Commission Expires Aug. 11, 2005

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this 23 day of January, 2002.

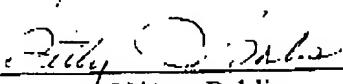
  
(SEAL)  
Darryl Lanay DeFreese

STATE OF Georgia  
COUNTY OF Gwinnett

I, Patty J. Bates, a Notary Public for said County and State, do hereby certify that Darryl Lanay DeFreese personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 23 day of January, 2002.

(Official Seal)

  
\_\_\_\_\_  
Notary Public

Notary Public, Gwinnett County, Georgia  
My Commission Expires Aug. 11, 2005

My commission expires: \_\_\_\_\_